

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Galen SNYDER,

Plaintiff,

v.

HUNTERDON FAMILY PRACTICE
OBSTETRICS, Lisa PLUNKETT, M. Kendra
LEWIS, Mary C. BRIANT, Kerri MURRY,
Diane C. LAKATA,

Defendants.

Civ. No. 12-151

OPINION and ORDER

THOMPSON, U.S.D.J.

This matter has come before the Court by way of Complaint of Plaintiff Galen Snyder [docket # 1]. Plaintiff also has submitted an application to proceed *in forma pauperis*. For the reasons given below, the Court, acting *sua sponte*, will dismiss the claims against Defendants Hunterdon Family Practice Obstetrics, Lisa Plunkett, M. Kendra Lewis, Mary C. Briant, Kerri Murry, and Diane C. Lakata.

After reviewing the Complaint it does not appear as though Plaintiff has raised any federal questions over which this Court may exercise jurisdiction. This dispute centers on the adequacy of medical treatment Plaintiff received while under the care of Defendants. Apparently, Plaintiff requested a refill of his prescription which Defendant Dr. Lisa Plunkett denied on the basis that the “medicine was wrong and too dangerous.” (Comp. at 2). Dr. Plunkett then prescribed alternative medication that Plaintiff claims did not work as well. (*Id.*, at 3). Plaintiff also claims that at some point Dr. Plunkett changed the prescription and that Plaintiff suffered seizures, confusion, fatigue, hallucinations, and at some point ended up in the hospital in a coma. (*Id.*, at 4-5). No specific allegations are raised against the other individual

Defendants or against Hunterdon Family Practice Obstetrics. To the extent that Plaintiff's Complaint raises any claims at all (e.g., medical malpractice, negligence), those claims are distinctly state law claims. Moreover, there does not appear to be diversity jurisdiction as Plaintiff and at least some of the individual Defendants appear to reside in the State of New Jersey. As such, this case must be dismissed for lack of subject matter jurisdiction.

Therefore, it is on this 11th day of January, 2012

ORDERED that Plaintiff's Complaint shall be dismissed for lack of subject matter jurisdiction; and it is

ORDERED that Plaintiff's application to proceed *in forma pauperis* is denied as moot; and it is

ORDERED that this case is closed.

/s/ Anne E. Thompson
ANNE E. THOMPSON, U.S.D.J.